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State Board of Marriage and Family
Therapy Examiners

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FILED

October 23, 2009
STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS
ALCOHOL AND DRUG COUNSELOR COMMITTEE

James R. DePina

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
ALCOHOL AND DRUG COUNSELOR COMMITTEE
OF THE STATE BOARD OF MARRIAGE AND
FAMILY THERAPY EXAMINERS

IN THE MATTER OF THE
SUSPENSION OR REVOCATION OF
THE CERTIFICATION OF

Administrative Action

TERESA KOEHLER, CADC
Certification No. 37CA00031400:

CONSENT ORDER

TO PRACTICE ALCOHOL
AND DRUG COUNSELING IN THE
STATE OF NEW JERSEY

This matter was opened before the Alcohol and Drug Counselor Committee of the New Jersey State Board of Marriage and Family Therapy Examiners (hereinafter "the Committee") upon review of allegations that respondent engaged in the independent practice of clinical alcohol and drug counseling for a fee although she is not licensed to practice clinical alcohol and drug counseling. Respondent is a certified alcohol and drug counselor.

Respondent appeared before the Committee with counsel, David G. Evans, Esq., on June 19, 2009 to discuss the allegations. Ms. Kohler admitted that she practices alcohol and drug counseling independently

for a fee at 601 Ewing Street, C1, Princeton, New Jersey 08540, that she treats approximately ten to fifteen clients per week, that she diagnoses substance-related disorders and accepts payment directly from her clients. Respondent testified that she meets twice per month with Phyllis Reilley, M.A., LCADC, at Ms. Reilley's office for supervision and that Ms. Reilley did not obtain written disclosure from any of respondent's clients informing the client that respondent's services are provided by a certified counselor under the supervision of a licensed professional. Respondent submitted a letter to the Committee with letterhead entitled "Teresa Koehler, MSW, CADC, CAS." Respondent testified that she was awarded an MSW from Alameda University in 2008 but was unaware that the university was not regionally accredited. After respondent's appearance Mathew C. Dorsi, Esq. advised the Committee that he is representing the respondent in this matter.

The Committee has reviewed respondent's experience in the field of alcohol and drug counseling, the documents submitted and her testimony before the Committee. The Committee has also considered respondent's acknowledgment of her errors, as well as her remorse relating to her unlicensed practice of alcohol and drug counseling and misrepresentation of her credentials. The Committee finds that respondent engaged in the unlicensed practice of alcohol and drug counseling, professional misconduct, misrepresentation of her credentials and failure to practice within the scope of her credentials, in violation of N.J.S.A. 45:2D-8, N.J.S.A. 45:1-21(e), N.J.A.C. 13:34C-3.1(b) and N.J.A.C. 13:34-3.2(a) and (f). The Committee finding that the following disposition of this matter is adequately protective of the public, and other good cause appearing;

IT IS THEREFORE ON THIS 23rd DAY OF October, 2009

ORDERED:

1. Respondent's certification to practice alcohol and drug counseling in the State of New Jersey shall be suspended for a period of two (2) years. During a minimum of the first nine (9) months of the period of suspension respondent shall not practice alcohol and drug counseling. The remainder of the period of suspension may be stayed and served as a period of probation. The period of active suspension shall commence no later than upon the filing of the within Consent Order. Credit towards the period of active suspension shall not be granted until respondent submits written documentation that all of her clients have been referred to qualified licensed health care professionals. Credit towards the period of active suspension shall also not be granted for any time period during which respondent engages in any other form of mental health counseling in the State of New Jersey or any other jurisdiction or state, whether or not such counseling is provided in an exempt setting.

2. Respondent shall appropriately refer, transfer or terminate the treatment of all of her clients and safeguard records pursuant to N.J.A.C. 13:34C-4.1(g) and submit written documentation to the Committee that all of her clients have been referred to qualified licensed health care professionals.

3. Prior to any application for reinstatement of her certification to practice alcohol and drug counseling, respondent shall submit documentation that she fully attended and successfully completed at least six (6) contact hours of continuing education in legal standards related to the practice of alcohol and drug counseling. The documentation must demonstrate that respondent completed the six (6) contact hours in legal standards (not a distance learning and/or internet program) subsequent to the filing

of the within Consent Order. The six (6) contact hours of continuing education in legal standards shall not count toward respondent's minimum number of required contact hours of continuing education in an application for reinstatement or renewal.

4. Respondent shall pay civil penalties in the amount of five thousand dollars (\$5,000.00). Payment shall be by certified check or money order, payable to the Treasurer, State of New Jersey and submitted to Elaine DeMars, Executive Director, Alcohol and Drug Counselor Committee, P.O. Box 45044, Newark, New Jersey 07101 contemporaneously with the signing of the Consent Order. Respondent may seek a payment plan. In the event respondent requests a payment plan, respondent shall pay one thousand dollars (\$1,000.00) of the civil penalty contemporaneously with the signing of the within Consent Order and shall submit documentation supporting the basis for the request for a payment plan and a proposed payment plan for the Committee to review.

5. At the end of the active period of suspension provided in paragraph 1 above, respondent may apply for reinstatement of her certification to practice alcohol and drug counseling upon demonstrating that she is fit and competent to re-enter the practice of alcohol and drug counseling and has complied with all the terms of the within order. Upon any such application respondent shall submit:

a. A statement signed and dated by the respondent listing each job respondent engaged in during the time her certification was suspended, including the name of the business or entity, address, name of supervisor, telephone number of supervisor, dates of employment and description of respondent's duties.

b. Documentation that the continuing education contact hours required pursuant to paragraph 3 of this order have been fully attended and successfully completed. Respondent shall also submit documentation of completion of all mandatory continuing education for the entire period of active suspension.

c. Proof of payment of the full civil penalty.

d. If so requested by the Committee, respondent shall appear before the Committee where the burden shall be upon the respondent to demonstrate to the Committee's satisfaction that respondent is fit and competent to practice.

6. In the event the Committee finds that respondent has complied with the terms of the Consent Order and is fit and competent to practice alcohol and drug counseling as a certified alcohol and drug counselor following the period of active suspension, respondent's certification shall be reinstated with restrictions and respondent shall practice alcohol and drug counseling on probation for a minimum period of fifteen (15) months with the following minimum conditions; and any other conditions deemed appropriate by the Committee in its discretion:

a. Respondent shall practice alcohol and drug counseling under the supervision of a supervisor pre-approved by the Committee. Respondent shall not be an owner, co-owner or shareholder of the alcohol and drug counseling facility, agency or private practice. The supervisor shall sign a copy of this Consent Order or a subsequent Order filed by the Committee which shall be submitted to the Committee prior to respondent commencing employment as an alcohol and drug counselor. In the event the supervisor ceases supervising respondent, respondent shall cease and desist engaging in alcohol and drug counseling unless and until a new supervisor is approved by the

Committee and submits a signed copy of the Consent Order or a subsequent Order to the Committee. Respondent shall immediately (within 24 hours) notify the Committee in writing of any change in supervision.

b. The pre-approved supervisor shall meet face-to-face with respondent for a minimum of a one-hour session per week to review respondent's client records. Respondent shall cause her supervisor(s) to submit quarterly reports directly to the Committee describing the matters reviewed, the number of matters reviewed, the basis for selecting the matters reviewed, the number of hours of supervision and an evaluation of respondent's work; listing any deficiencies and recommended remediation; and addressing respondent's compliance with the supervisor's recommendations.

c. Respondent shall provide all employers immediately upon commencement of employment with a copy of the within Order. Respondent shall be required to provide the Committee with a copy of this Consent Order (or a subsequent Order filed by the Committee) signed by each employer acknowledging that the employer has reviewed this Consent Order within ten (10) days of the commencement of employment.

d. During the period of probation, respondent shall notify the Committee in writing within twenty-four (24) hours of any change in the status of her employment, including any change in location, responsibilities and/or title, or additional places of employment.

e. Respondent's supervisor shall agree to report to the Committee in writing within 72 hours of awareness of any indication that respondent is not capable of continued practice or has violated the statutes or regulations governing the practice of certified alcohol and drug counseling or has been disciplined or terminated

from employment. Such notice shall be provided to Elaine DeMars, Executive Director, Alcohol and Drug Counselor Committee or her designee, 124 Halsey Street, Newark, New Jersey 07102, facsimile number (973) 504-3536.

7. If respondent's certification to practice alcohol and drug counseling is reinstated as provided in paragraph 6 above, at the end of the period of probation provided herein, respondent may apply for an unrestricted certification upon demonstrating that she is fit and competent to practice and has complied with all the terms of this Order or any subsequent Order of the Committee. If so requested by the Committee, respondent shall appear before the Committee where the burden shall be upon respondent to demonstrate to the Committee's satisfaction that she is fit and competent to practice with direct supervision as a certified alcohol and drug counselor and that she will not engage in any independent practice.

8. Respondent shall comply with all statutes and regulations, as well as professional standards of conduct and obligations of certified alcohol and drug counselors.

9. During the period of active suspension and probation, any deviation from the terms of this Order without the prior written consent of the Committee shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that respondent has violated any term of this Order, respondent's certification may be automatically suspended by the Committee. Respondent, upon five (5) days notice, may request a hearing to contest the entry of such order. At any such hearing the sole issue shall be whether any of the information received regarding

respondent was materially false. In addition, the Committee reserves the right to bring further disciplinary action.

ALCOHOL AND DRUG COUNSELOR COMMITTEE OF THE
NEW JERSEY STATE BOARD OF MARRIAGE AND
FAMILY THERAPY EXAMINERS

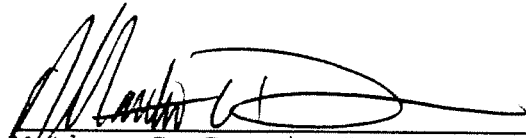

Edward Reading, LCADC
Committee Chair

I have read the above order and I understand and agree to abide by its terms. Consent is hereby given to the Alcohol and Drug Counselor Committee of the State Board of Marriage and Family Therapy Examiners to enter this Order.


Teresa Koehler

Dated: 10/16/09 2009.

Consent as to form:


Mathew C. Dorsi, Esq.
DiFrancesco, Bateman, Coley, Yospin,
Kunzman, Davis & Lehrer, PC
Attorney for Teresa Koehler

Dated: 10/20/09, 2009